

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

AF/280

O I P E JONES  
MAR 05 2002  
PT & TRADEMARKS**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

		<b>Application Number</b>	09/517,705
		<b>Filing Date</b>	March 2, 2000
		<b>First Named Inventor</b>	Chunlin Liang
		<b>Group Art Unit</b>	2811
		<b>Examiner Name</b>	Loke, S.
Total Number of Pages in This Submission	7	Attorney Docket Number	42390P5771D

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

Return Postcard

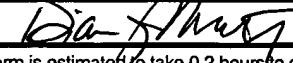
RECEIVED  
MAR - 1 2002  
TC 2800 MAIL ROOM**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Daniel J. Burns, Reg. No. P-50,222  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	February 19, 2002

**CERTIFICATE OF MAILING (OR TRANSMISSION)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

February 19, 2002

Typed or printed name	Diane Martinez
Signature	
Date	02/19/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **0.00****Complete If Known**

Application Number	09/517,705
Filing Date	03/02/00
First Named Inventor	Chunlin Liang, et al.
Examiner Name	Loke, S.
Group Art Unit	2811
Attorney Docket Number	42390P5771D

**METHOD OF PAYMENT (check all that apply)** Check  Credit Card  Money Order  Other  None Deposit Account

Deposit Account Number	02-2666
Deposit Account Name	Blakely, Sokoloff, Taylor & Zafman

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application.  
 Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

**FEE CALCULATION****1. FILING FEE****Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
4 - 20** =	0 X 18.00 =	\$0.00	
Independent Claims 1 - 3** =	0 X 84.00 =	\$0.00	

Multiple Dependent Claims

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee Description	Fee Paid
103	18	203	9 Claims in excess of 20	
102	84	202	42 Independent claims in excess of 3	
104	280	204	140 Multiple Dependent claim	
109	84	209	42 **Reissue independent claims over original patent	
110	18	210	9 **Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$)** **0.00**

\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEE**

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath		
127	50	227	25 Surcharge - late provisional filing fee or cover sheet		
139	130	139	130 Non-English specification		
147	2,520	147	2,520 For filing a request for ex parte reexamination		
112	920	112	920 Requesting publication of SIR prior to Examiner action		
113	1,840	113	1,840 Requesting publication of SIR after Examiner action		
115	110	215	55 Extension for response within first month		
116	400	216	200 Extension for response within second month		
117	920	217	460 Extension for response within third month		
118	1,440	218	720 Extension for response within fourth month		
128	1,960	228	980 Extension for response within fifth month		
119	320	219	160 Notice of Appeal		
120	320	220	160 Filing a brief in support of an appeal		
121	280	221	140 Request for oral hearing		
138	1,510	138	1,510 Petition to institute a public use proceeding		
140	110	240	55 Petition to revive - unavoidably		
141	1,280	241	640 Petition to revive - unintentionally		
142	1,280	242	640 Utility issue fee (or reissue)		
143	460	243	230 Design issue fee		
144	620	244	310 Plant issue fee		
122	130	122	130 Petitions to the Commissioner		
123	50	123	50 Petitions related to provisional applications		
126	180	126	180 Submission of Information Disclosure Stmt		
581	40	581	40 Recording each patent assignment per property (times number of properties)		
146	740	246	370 Filing a submission after final rejection (37 CFR 1.129(a))		
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))		
179	740	279	370 Request for Continued Examination (RCE)		
169	900	169	900 Request for expedited examination of a design application		

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****SUBMITTED BY**

Complete (if applicable)

Typed or Printed Name	Daniel J. Burns, Reg. No. P-50,222	Registration No. (Attorney/Agent)		Telephone	(310) 207-3800
Signature				Date	02/19/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

RECEIVED  
MAY 5 2002  
HAR - 7  
28 DO MAIL ROOM  
PTO/SB/17 (10-01)



Our Ref. No.: 042390P5771D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Chunlin Liang and Gang Bai

Serial No.: 09/517,705

Filed: March 2, 2000

For: **COMPLEMENTARY METAL GATE  
ELECTRODE TECHNOLOGY**

Examiner: Loke, S.

Art Unit: 2811

H 7  
Response  
F JONES  
3-14-02  
RECEIVED  
MAR -7 2002  
TC 2800 MAIL ROOM

**RESPONSE TO FINAL OFFICE ACTION**

Assistant Commissioner for Patents  
Box: AF  
Washington, D.C. 20231

Dear Sir:

In response to the Final Office Action dated January 18, 2002, Applicants respectfully request consideration of the Remarks which follow.

**REMARKS**

In response to the above-identified Final Office Action, Applicants seek reconsideration thereof. In this Response, Claims 1-2 and 16-17 are pending.

**I. Claims Rejected Under 35 U.S.C. §112, second paragraph**

The Examiner rejects Claim 17 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Regarding Claim 17, the Examiner contends that it is unclear which materials have a work function corresponding to P-type silicon and which have a work function corresponding to N-type silicon. In response, Applicants note that the work function of the materials in Claim 17 are well-known to those in the art. As one example, see the table entitled Electron Work Functions of the Elements beginning on page E-89 in the *CRC Handbook of*

*Chemistry and Physics* (67th Ed.) Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 17.

## **II. Claims Rejected Under 35 U.S.C. § 102(b)**

The Examiner rejects Claims 1-2 and 16 under 35 U.S.C. § 102(b) as being anticipated by Dash et al, U.S. Patent No. 4,399,605 ("Dash"). Applicants respectfully traverse this rejection.

In order to anticipate a claim, the relied upon reference must disclose every limitation of the claim. Among other limitations, Claim 1 recites that the first metal gate electrode and the second metal gate electrode are separately disposed in respective ones of the first area and the second area of the semiconductor substrate.

In making the rejection, the Examiner relies on Dash to show a circuit device comprising two metal gate electrodes 56 and 50. (*See Dash*, Fig. 9.) The Examiner argues that the first metal gate electrode (a portion of layer 56 formed above channel region 52) and the second metal gate electrode 50 are separately disposed in respective ones of a first area (P-type region 52) and a second area (N-type region 54) of the semiconductor substrate. However, Applicants note that metal gate electrode 56 is formed above both P-type region 52 and N-type region 54 of the semiconductor substrate since the conductive line 56 acts as the gate electrode for the N channel transistor and as a contact with the platinum silicide gate electrode 50 of the P channel transistor. (*See Dash*, Fig. 9, col. 4, lines 17-21.) Thus, Dash fails to teach or suggest that the first metal gate electrode and the second metal gate electrode are separately disposed in respect of ones of a first area and a second area of the semiconductor substrate.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claim 1. Claims 2 and 6 depend from Claim 1. As such, the dependent claims are not anticipated for at least the same reasons as Claim 1.

## **III. Claims Rejected under 35 U.S.C. §103(a)**

The Examiner rejects Claim 17 under 35 U.S.C. §103(a) as being obvious over Dash. Applicants respectfully traverse this rejection.

The Examiner's obligation in making a *prima facie* case of obviousness requires the Examiner to show that the prior art, in combination, teaches or suggests all elements of the claimed invention. Applicants respectfully submit that the Examiner has failed to set forth a *prima facie* case of obviousness.

Claim 17 depends from independent Claim 1. As argued above, Dash fails to teach or suggest that the first metal gate electrode and the second metal gate electrode are separately disposed in respective ones of the first area and the second area of the semiconductor substrate.

Thus, Claim 17 is not anticipated for at least the same reasons as independent Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 17.

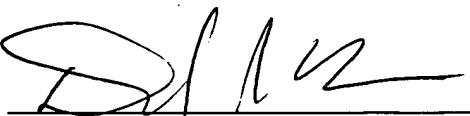
RECEIVED  
FEB 19 2002  
U.S. MAIL ROOM

### CONCLUSION

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

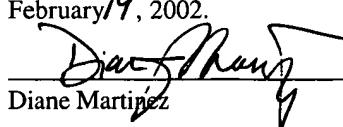
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

  
Daniel J. Burns; Reg. No. P-50,222

Dated: February 19, 2002

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

CERTIFICATE OF MAILING:  
I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box AF, Washington, D.C. 20231 on February 19, 2002.

  
Diane Martinez

February 19, 2002